

Amendments to the Drawings:

The attached sheet of drawings include changes to Figures 1, 2 and 3; each of those figures have been amended to include "prior art" legends.

Attachment: Submittal of Drawing Replacement Sheets

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended claims 1, 4, 5, 7 and 8. Claims 1-8 remain pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Priority

The Examiner noted that the specification would require an amendment if Applicants desire to claim the benefit of a prior-filed application under 35 U.S.C. §119(e). An error was made on the previously-submitted Declaration and Power of Attorney, incorrectly listing the corresponding PCT application under the §119(e) section. The application, however, only claims priority under the PCT application under §371; therefore, no amendment to the specification is required.

3.) Information Disclosure Statement

The Examiner noted that the NPL reference "WLAN Access Point IAPP Solution" was not considered as the webpage disclosed is no longer valid. The Applicant re-submits herewith the Information Disclosure Statement filed on December 21, 2005 along with a copy of the cited reference.

4.) Examiner Objections – Drawings

The Examiner objected to figures 1-3 of the drawings on the basis that they should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. The Applicant submits herewith a drawing replacement sheets for Figures 1-3, including a "prior art" legend on each of those figures.

The Examiner also objected to the drawings as including reference characters not mentioned in the description. The Applicant has made appropriate amendments to the specification to include the identified reference characters.

5.) Examiner Objections – Specification

The Examiner objected to the specification for various informalities. With respect to the Examiner's objection to the use of "utilised" and "authorisation," rather than "utilized" and "authorization," respectively, the Applicant notes that those are recognized British spelling variations and, therefore, declines to amend the specification. Also, with respect to the Examiner's indication that the word "Subsequently" appears to be a misspelling of the word "Accordingly" at page 9, line 19, the Applicant does not believe any change is required. With respect to all other objections to the specification, the Applicant has made appropriate amendments herein.

The Examiner also noted that the specification "should" include specific sections. Although the specification does not strictly conform to the format *suggested* under 37 C.F.R. §1.77(b), it is in conformance with PCT and U.S. statutory requirements. The Applicant, therefore, requests that the Examiner withdraw the objection.

6.) Examiner Objections - Claims

The Examiner objected to claims 1, 4, 5, 6, 7 and 8 because of certain informalities. The Applicant has amended claims 1, 4, 5 and 8 to spell out the acronyms as suggested by the Examiner. The Applicant has further amended the claims to clarify the antecedent basis for each "access controlling node." With respect to the Examiner's assertion that claim 7 is a substantial duplicate of claim 1, the Applicant disagrees; claim 1 is directed to a network that includes an access controlling node, while claim 7 is directed solely to the access controlling node. The Examiner's consideration of the amended claims is respectfully requested.

7.) Claim Rejections – 35 U.S.C. §101

The Examiner rejected claims 1-8 on the asserted basis that those claims are directed to non-statutory subject matter. The Examiner states that the claims are non-statutory because they "do not produce a useful, concrete and tangible result." The Examiner, however, provides no rationale or reasoning for her conclusory statements. Thus, the Applicant is unable to cogently respond to the Examiner's rejection, for which

the Examiner has not made a *prima facie* showing. Therefore, the Applicant respectfully requests that the Examiner either withdraw the rejection or state her reasons therefore.

8.) Claim Rejections – 35 U.S.C. §103 (a)

The Examiner rejected claims 1-4, 7 and 8 as being unpatentable over Luo (U.S. Patent Publication No. 2003/0169713 A1) in view of Philsgard, *et al.* (U.S. Patent Publication No. 2004/0248547 A1) and Funato, *et al.* (U.S. Patent Publication No. 2003/0145092 A1); claim 5 stands as being unpatentable over Luo in view of Philsgard, Funato, *et al.* (U.S. Patent Publication No. 2003/0145092 A1) and Sanda (U.S. Patent Publication No. 2006/0013174 A1); and, claim 6 as being unpatentable over Luo in view of Philsgard, Funato and Prasad, *et al.* (U.S. Patent No. 7,197,125 B1). The Applicant traverses the rejections.

Claim 1 recites:

1. A network comprising at least one access point (AP) and one access controlling node, the access points making use of the Inter-Access Point Protocol (IAPP) for communication, wherein at least one mobile station may associate with the access points, wherein the identity of the mobile station can be approved by the access controlling node, wherein:

the access controlling node monitors whether a given mobile station has access to any of a given subset of access points and monitors an account relating to the given mobile station being associated with a given access point of the subset of access points; and,

if detecting that the account relating to the given mobile station has a balance of zero,

the at least one access-controlling node issues at least one IAPP message causing the access point of the subset with which the mobile station is currently associated to disassociate the given mobile station, thereby terminating access for the given mobile station. (emphasis added)

Luo discloses providing WLAN access to roaming users through any one of a plurality of access points. It builds on the home agent / foreign agent concept known from Mobile IP, and deals with a problem wherein "it is impossible for [a] user to open an account by connecting to [a] WLAN that only admits connections from users already

having an account, [thus] the user must create an account using an out of band method, even though being within coverage area of the WLAN." [0013] According to Luo, the problem is solved by letting users initially authenticate through a web page and a Java applet for consequent authorizations when moving to new access points. [0014] According to the teachings of Luo: "A mobile host's state record in state table 118 is downloaded from the centralized mobile state database 108 when the mobile host associates with the access point. It is removed from the mobile state table 118 if the time-of-last-activity exceeds a specified time period." [0025] Mobiles can be in a blocked, limited or normal state. According to Luo, "[a] 'blocked' state means that the mobile host is considered to be hostile to the WLAN due to various reasons, such as repeated authentication failures or suspicious activities. In that state, the access point will block all frames sent to and from the mobile host." Thus, Luo locks out mobiles not by disassociating them, as claimed by Applicant, but by blocking traffic from in the access point concerned.

In contrast to the teachings of Luo, the invention recited in claim 1 is characterized by detecting whether an account relating to a mobile station has a balance of zero and, if so, an access-controlling node issues an IAPP message that causes the access point which the mobile station is currently associated with to disassociate the mobile station, thereby terminating its access. Luo does not teach such detection of a zero account balance, nor does it teach the use of an IAPP message to cause the current access point for the mobile station to disassociate the station. Those aspects of the invention are also not taught by Philsgard or Funato. Therefore, claim 1 is not obvious in view of those references.

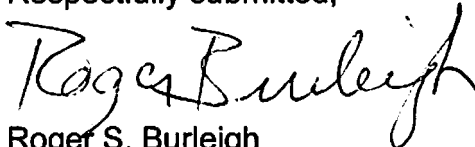
Whereas independent claims 7 and 8 recite limitations analogous to those of claim 1, they are also not obvious over Luo in view of Philsgard and Funato. Furthermore, whereas claims 2-6 are dependent from claim 1, and include the limitations thereof, they are also not obvious over those references, or further in view of Sanda or Prasad.

CONCLUSION

In view of the foregoing amendments and remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-8.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roger S. Burleigh". The signature is fluid and cursive, with the first name "Roger" and last name "Burleigh" clearly distinguishable.

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